

COMMISSION ON JUDICIAL PERFORMANCE
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JUDICIAL PERFORMANCE COMMISSION ISSUES
PUBLIC ADMONISHMENT OF JUDGE DANIEL J. HEALY

The Commission on Judicial Performance has publicly admonished Judge Daniel J. Healy of the Solano County Superior Court.

The public admonishment concerns Judge Healy's denigrating and undignified remarks to family law litigants, most of whom were unrepresented by counsel, in multiple proceedings and the appearance of embroilment in one case. While recognizing the impropriety of demeaning litigants, the judge argued that blunt and evocative language is sometimes necessary to compel litigants to gain awareness of their circumstances, the harm that they are causing their children, and the importance of respect and cooperation. However, the commission disagreed stating, "referring to litigants as 'rotten,' 'stupid and thuggish,' and a 'total human disaster,' and telling litigants their child 'might as well start walking the streets as a hooker,' is the antithesis of imparting the importance of respect." In one case, Judge Healy attempted to influence another judicial officer's handling of an arrest warrant of the father, which created the appearance of embroilment. The commission determined that his actions "constituted a failure to uphold the integrity and independence of the judiciary, and a failure to act at all times in a manner that promotes respect for the integrity and impartiality of the judiciary."

The commission determined that a public admonishment was appropriate in this matter, taking into account the number of incidents of misconduct, the judge's lack of insight into how his treatment of litigants was improper, and the negative impact of his misconduct on the judicial system. The commission stated that it "recognized that the family law cases addressed in this matter were high-conflict and difficult cases. However, the contentious nature of a case, which is not uncommon in family law, does not relieve a judge from the duty to treat litigants in a dignified, respectful and courteous manner as required by the Code of Judicial Ethics."

The public admonishment is available on the commission's website at <http://cjp.ca.gov> (under "Pending Cases - Press Releases & Documents" and "Public Discipline & Decisions") and at the commission's office. Judge Healy is represented by attorney James A. Murphy of San Francisco, California.

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The commission is composed of three judges, two lawyers and six public members. The chairperson is Honorable Erica R. Yew of the Santa Clara County Superior Court.

For further information about the Commission on Judicial Performance, see the commission's website at <http://cjp.ca.gov>.